

In re Application of:
Lee and Esquela
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PATENT
Attorney Docket No.: JHU1220-6

B. REMARKS

Upon entry of the present amendment, claims 1 to 4, 6, 8, 9, 12, 15 to 18, 23 to 29, and 37 will be pending.

The specification has been amended to update the continuing information. As such, the amendment merely addresses a formality, and does not add new matter.

The specification also has been amended to insert a copy of the Substitute Sequence Listing as filed in U.S. Serial No. 09/361,655, which was received by the U.S. Patent and Trademark Office on September 18, 2002. A computer readable form of the Substitute Sequence Listing is requested to be transferred from application 09/361,655. The request to transfer CRF is also submitted herewith.

Claims 5, 7, 10, 11, 13, 14, 19 to 22, 30 to 36, and 38 to 43 are cancelled herein without disclaimer, and without prejudice to Applicants' pursuing prosecution of subject matter encompassed within one or more of the claims in an application claiming the benefit of priority of the subject application.

Claim 3 has been amended to address informalities, wherein "periods" used other than at the end of the claim were deleted, and wherein extraneous language at the end of the claim was deleted. Claim 23 has been amended to recite the full term for the abbreviation "GDF-12" and to delete the term "the" preceding "GDF-12 activity", as there was no antecedent basis for such GDF-12 activity. Claim 37 has been amended to delete reference to claim 36, which has been cancelled, and to depend from claim 26, which provides the requisite antecedent basis. As such, the amendments to the claims merely address formalities, and do not add new matter.

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No additional fee is deemed necessary in connection with the filing of this Preliminary Amendment. However, the Commissioner is authorized to charge any other fees, or credit any overpayments, to Deposit Account No. 50-1355. A duplicate copy of this Transmittal Sheet is enclosed.

It is submitted that the claims are in condition for allowance, and a notice to that effect is respectfully requested. The Examiner is invited to contact Applicants' undersigned representative if there are any questions relating to this application.

Respectfully submitted,

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Lisa A. Haile, J.D., Ph.D.
Registration No. 38,347
Telephone: (619) 677-1456
Facsimile: (619) 677-1465

USPTO Customer Number 28213
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, California 92121-2133